

HOUSE BILL No. 1380

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13.6-2-13; IC 5-16-1-9; IC 5-22-15-26; IC 5-28-5-16; IC 21-34-3-8; IC 36-1-12-22.

Synopsis: Energy efficient buildings. Requires a building or structure constructed, reconstructed, repaired, altered, or retrofitted with certain public works contracts entered into after December 31, 2009, to be designed with the goal of achieving the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system, the Green Globes Two Globes level, or an equivalent standard under an equivalent rating system that is accredited by the American National Standards Institute. Provides that for state agency purchases, there is a 5% price preference for certain office equipment that is compliant with the United States Environmental Protection Agency Energy Star ratings. Allows the Indiana economic development corporation to adopt rules allowing the corporation to give priority to economic development projects that meet or surpass the standards of the leadership in energy and environmental design ratings systems developed by the U.S. Green Building Council or the Green Building Initiative.

Effective: July 1, 2009.

Niezgodski

January 13, 2009, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1380

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13.6-2-13 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 13. (a) This section applies to a public works contract**
4 **that satisfies all the following requirements:**

5 (1) **The contract is entered into under this article after**
6 **December 31, 2009.**

7 (2) **The total value of the project subject to the contract is at**
8 **least one million dollars (\$1,000,000).**

9 (3) **The contract is for the construction, reconstruction,**
10 **repair, alteration, or retrofitting of a public building or**
11 **structure.**

12 (4) **The contract is not for the construction, reconstruction,**
13 **repair, alteration, or retrofitting of a public building or**
14 **structure that is listed or eligible for listing on the National**
15 **Register of Historic Places.**

16 (5) **The contract is not for the construction, reconstruction,**
17 **repair, alteration, or retrofitting of a public building or**



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structure that is designed solely to store commodities or other property such as a highway salt barn.

(b) A public works contract described in subsection (a) for the construction of a public building or structure must require that the public building or structure constructed under the public works contract be designed with the goal of achieving:

- (1) the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;
- (2) the Green Globes Two Globes level; or
- (3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute.

(c) A public works contract described in subsection (a) for the reconstruction, repair, alteration, or retrofitting of a public building or structure must require that the reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:

- (1) the standards for existing buildings under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;
- (2) the Green Globes Two Globes level; or
- (3) an equivalent standard under an equivalent rating system that is accredited by the American National Standards Institute.

(d) The division shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section.

SECTION 2. IC 5-16-1-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) This section applies to a public works contract that satisfies all the following requirements:

- (1) The contract is entered into under this article after December 31, 2009.
- (2) The total value of the project subject to the contract is at least one million dollars (\$1,000,000).
- (3) The contract is for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure.
- (4) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or

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structure that is listed or eligible for listing on the National Register of Historic Places.

(5) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure that is designed solely to store commodities or other property such as a highway salt barn.

(b) A public works contract described in subsection (a) for the construction of a public building or structure must require that the public building or structure constructed under the public works contract be designed with the goal of achieving:

(1) the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;

(2) the Green Globes Two Globes level; or

(3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute.

(c) A public works contract described in subsection (a) for the reconstruction, repair, alteration, or retrofitting of a public building or structure must require that the reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:

(1) the standards for existing buildings under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;

(2) the Green Globes Two Globes level; or

(3) an equivalent standard under an equivalent rating system that is accredited by the American National Standards Institute.

(d) The contracting agency shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section.

SECTION 3. IC 5-22-15-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 26. (a) This section applies only to a contract awarded by a state agency or a purchase made by a state agency.

(b) There is a price preference of five percent (5%) for any electronic office equipment, including computers, monitors, printers, scanners, fax machines, and copiers, that are compliant with the United States Environmental Protection Agency Energy Star ratings.

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SECTION 4. IC 5-28-5-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 16. The corporation may adopt rules granting priority to economic development projects that include buildings that meet or surpass the standards of the leadership in energy and environmental design ratings systems developed by the United States Green Building Council or the Green Building Initiative.**

SECTION 5. IC 21-34-3-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 8. (a) This section applies to a contract for a building facility that satisfies all the following requirements:**

(1) The contract is entered into under this article after December 31, 2009.

(2) The total value of the project subject to the contract is at least one million dollars (\$1,000,000).

(3) The contract is for the construction, reconstruction, repair, alteration, or retrofitting of a university owned building or structure.

(4) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a university owned building or structure that is listed or eligible for listing on the National Register of Historic Places.

(5) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a university owned building or structure that is designed solely to store commodities or other property such as a highway salt barn.

(b) A contract described in subsection (a) for the construction of a university owned building or structure must require that the building or structure constructed under the contract be designed with the goal of achieving:

(1) the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;

(2) the Green Globes Two Globes level; or

(3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute.

(c) A contract described in subsection (a) for the reconstruction, repair, alteration, or retrofitting of a university owned building or structure must require that the reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:

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- (1) the standards for existing buildings under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;
- (2) the Green Globes Two Globes level; or
- (3) an equivalent standard under an equivalent rating system that is accredited by the American National Standards Institute.

(d) The university shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section.

SECTION 6. IC 36-1-12-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22. (a) This section applies to a public works contract that satisfies all the following requirements:

- (1) The contract is entered into under this article after December 31, 2009.
- (2) The total value of the project subject to the contract is at least one million dollars (\$1,000,000).
- (3) The contract is for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure.
- (4) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure that is listed or eligible for listing on the National Register of Historic Places.
- (5) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure that is designed solely to store commodities or other property such as a highway salt barn.

(b) A public works contract described in subsection (a) for the construction of a public building or structure must require that the public building or structure constructed under the public works contract be designed with the goal of achieving:

- (1) the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system;
- (2) the Green Globes Two Globes level; or
- (3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute.

(c) A public works contract described in subsection (a) for the

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1 reconstruction, repair, alteration, or retrofitting of a public
2 building or structure must require that the reconstructed,
3 repaired, altered, or retrofitted building or structure be designed
4 with the goal of achieving:

5 (1) the standards for existing buildings under the United
6 States Green Building Council's Leadership in Energy and
7 Environmental Design (LEED) rating system;

8 (2) the Green Globes Two Globes level; or

9 (3) an equivalent rating under an equivalent rating system
10 that is accredited by the American National Standards
11 Institute.

12 (d) The political subdivision shall seek certification through the
13 rating system that is appropriate to the contract for a building or
14 structure that is constructed, reconstructed, repaired, altered, or
15 retrofitted under a contract that is subject to this section.

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